

James R. Condo (#005867)
Amanda C. Sheridan (#027360)
SNELL & WILMER L.L.P.
One Arizona Center
400 E. Van Buren, Suite 1900
Phoenix, AZ 85004-2204
Telephone: (602) 382-6000
jcondo@swlaw.com
asheridan@swlaw.com

Richard B. North, Jr. (admitted *pro hac vice*)
Georgia Bar No. 545599
Matthew B. Lerner (admitted *pro hac vice*)
Georgia Bar No. 446986
NELSON MULLINS RILEY & SCARBOROUGH LLP
Atlantic Station
201 17th Street, NW, Suite 1700
Atlanta, GA 30363
Telephone: (404) 322-6000
richard.north@nelsonmullins.com
matthew.lerner@nelsonmullins.com

Attorneys for Defendants
C. R. Bard, Inc. and
Bard Peripheral Vascular, Inc.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE: Bard IVC Filters Products Liability
Litigation,

No. 2:15-MD-02641-DGC

**DEFENDANTS' NOTICE OF
LODGING UNDER SEAL CERTAIN
EXHIBITS IN SUPPORT OF
DEFENDANTS' RESPONSE IN
OPPOSITION TO PLAINTIFF'S
MOTION *IN LIMINE* NO. 4**

(Assigned to the Honorable David G.
Campbell)

Defendants C. R. Bard, Inc. and Bard Peripheral Vascular, Inc. (collectively
"Bard"), pursuant to the Stipulated Protective Order (Doc. 269) and Local Civil Rule 5.6,
file this Notice of Lodging Under Seal certain exhibits attached in support of Defendants'
Response in Opposition to Plaintiff's Motion *In Limine* No. 4. These exhibits contain
Plaintiff's personal healthcare information that is protected under HIPAA and confidential
under the Stipulated Protective Order. Defendants have notified Plaintiff of their intent to

1 file this Notice of Lodging. Because the documents lodged under seal and materials
2 lodged redacted only relate to Plaintiff's personal healthcare information, Defendants note
3 that it is Plaintiff's burden to file a motion to seal. A list of the exhibits lodged under seal,
4 and a list of materials lodged redacted, are attached hereto as Exhibit A.

5 RESPECTFULLY SUBMITTED this 25th day of April, 2018.

6 s/ Richard B. North, Jr.
7 Richard B. North, Jr.
8 Georgia Bar No. 545599
9 Matthew B. Lerner
10 Georgia Bar No. 446986
11 NELSON MULLINS RILEY & SCARBOROUGH, LLP
12 Atlantic Station
13 201 17th Street, NW / Suite 1700
14 Atlanta, GA 30363
15 PH: (404) 322-6000
16 FX: (404) 322-6050
17 richard.north@nelsonmullins.com
18 matthew.lerner@nelsonmullins.com

13 James R. Condo (#005867)
14 Amanda Sheridan (#027360)
15 SNELL & WILMER L.L.P.
16 One Arizona Center
17 400 E. Van Buren
18 Phoenix, AZ 85004-2204
19 PH: (602) 382-6000
20 jcondo@swlaw.com
21 asheridan@swlaw.com

22 **Attorneys for Defendants C. R. Bard, Inc. and**
23 **Bard Peripheral Vascular, Inc.**

Nelson Mullins Riley & Scarborough

LLP
201 17th Street NW, Suite 1700
Atlanta, GA 30363
(404) 322-6000

CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of April, 2018, the foregoing was electronically filed with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

s/ Richard B. North, Jr.
Richard B. North, Jr.

Nelson Mullins Riley & Scarborough

LLP
201 17th Street NW, Suite 1700
Atlanta, GA 30363
(404) 322-6000

EXHIBIT A

DOCUMENTS PROPOSED TO BE FILED UNDER SEAL

Defendants request they be permitted to file under seal the following documents in support of their Response in Opposition to Plaintiff's Motions *In Limine* No. 4:

1. Redacted Response to Plaintiff's Motion *In Limine* #4 to Exclude Evidence of Tobacco Use
2. Exhibit D – Report of David A. Garcia, M.D.
3. Exhibit E – Excerpt of deposition of Colleen Taylor, M.D.